

# PM10 Redesignation

Governing Board Meeting  
July 5, 2013

# Background

- Redesignation request submitted in 2010
- EPA published redesignation notice in Federal Register on 6/26/13

# NSR Implications

- PM10 offsets not needed for federal purposes
- PM10 offsets potentially needed for state purposes

# Key Issues

- SB 288
- California Clean Air Act (CCAA) requirement
- Reg XIII

# SB 288

## Health & Safety Code

42504.(a) No air quality management district or air pollution control district may amend or revise its new source review rules or regulations to be less stringent than those that existed on December 30, 2002. If the state board finds, after a public hearing, that a district's rules or regulations are not equivalent to or more stringent than the rules or regulations that existed on December 30, 2002, the state board shall promptly adopt for that district the rules or regulations that may be necessary to establish equivalency, consistent with subdivision (b).



# SB 288 (continued)

## Health & Safety Code

42504. (b) (1) In amending or revising its new source review rules or regulations, a district may not change any of the following that existed on December 30, 2002, if the amendments or revisions would exempt, relax or reduce the obligations of a stationary source for any of the requirements listed in paragraph (2): (A) The applicability determination for new source review. (B) The definition of modification, major modification, routine maintenance, or repair or replacement. (C) The calculation methodology, thresholds or other procedures of new source review. (D) Any definitions or requirements of the new source review regulations. (2) (A) Any requirements to obtain new source review or other permits to construct, prior to commencement of construction. (B) Any requirements for best available control technology (BACT). (C) Any requirements for air quality impact analysis. (D) Any requirements for recordkeeping, monitoring and reporting in a manner that would make recordkeeping, monitoring, or reporting less representative, enforceable, or publicly accessible. (E) Any requirements for regulating any air pollutant covered by the new source review rules and regulations. (F) Any requirements for public participation, including a public comment period, public notification, public hearing, or other opportunities or forms of public participation, prior to issuance of permits to construct.

# CCAA Requirement

## Health & Safety Code

40920.5. Each district with extreme air pollution shall, to the extent necessary to meet the requirements of the plan developed pursuant to Section 40913, include the following measures in its attainment plan: (a) All measures required for moderate, serious, and severe areas. (b) A stationary source control program designed to achieve no net increase in emissions new or modified stationary sources of nonattainment pollutants or their precursors. (c) Any other feasible controls that can be implemented, or for which implementation can begin, within 10 years of the adoption date of the most recent air quality plan.

# Reg XIII – Offset Requirement

## Rule 1301

### (d) State Standards

For the purpose of this regulation, all references to the national ambient air quality standards and nonattainment shall be interpreted to include state ambient air quality standards. This subsection shall not be included as part of any revision to the District's portion of the State Implementation Plan (SIP).



# Reg XIII – Offset Requirement (continued)

## Rule 1302

- (y) NEW SOURCE REVIEW (NSR) BALANCE means the sum of the emission increases, decreases, and offsets as listed in District records, and approved by the Executive Officer or designee that has been determined at a facility pursuant to the District's New Source Review rules since October 8, 1976 to December 7, 1995. Under no circumstances shall the New Source Review Balance be greater than the facility's potential to emit or less than zero.
- (z) NONATTAINMENT AIR CONTAMINANT means any air contaminant for which there is a national or state ambient air quality standard, or precursor to such air contaminant, which:
  - (1) has been designated "nonattainment" pursuant to the California Air Resources Board in accordance with Section 39607 of California Health & Safety Code; or
  - (2) has been designated "nonattainment" pursuant to final rulemaking by the EPA as published in the Federal Register.

# Reg XIII – Offset Requirement (continued)

## Rule 1303

### (2) Emission Offsets

#### (A) Emission Reduction Credits

Unless exempt from offsets requirements pursuant to Rule 1304, emission increases shall be offset by either Emission Reduction Credits approved pursuant to Rule 1309, or by allocations from the Priority Reserve in accordance with the provisions of Rule 1309.1, or allocations from the Offset Budget in accordance with the provisions of Rule 1309.2. Offset ratios shall be 1.2-to-1.0 for Emission Reduction Credits and 1.0-to-1.0 for allocations from the Priority Reserve, except for facilities not located in the South Coast Air Basin (SOCAB), where the offset ratio for Emission Reduction Credits only shall be 1.2-to-1.0 for VOC, NO<sub>x</sub>, SO<sub>x</sub> and PM10 and 1.0-to-1.0 for CO.

# Reg XIII – Offset Requirement (continued)

## Rule 1301

### (a) Purpose

This regulation sets forth pre-construction review requirements for new, modified, or relocated facilities, to ensure that the operation of such facilities does not interfere with progress in attainment of the national ambient air quality standards, and that future economic growth within the South Coast Air Quality Management District (District) is not unnecessarily restricted. The specific air quality goal of this regulation is to achieve no net increases from new or modified permitted sources of nonattainment air contaminants or their precursors.

In addition to nonattainment air contaminants, this regulation will also limit emission increases of ammonia, and Ozone Depleting Compounds (ODCs) from new, modified or relocated facilities by requiring the use of Best Available Control Technology (BACT).

# Next Steps

- Work with stakeholders, CARB, and EPA
  - July – August 2013
- Recommendation to Governing Board
  - September 2013